

#### CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development Michael J. Kruse, Director

Telephone (617)-796-1120

TDD/TTY (617) 796-1089

Telefax (617) 796-1142

E-mail mkruse@newtonma.gov

Public Hearing Date:

Land Use Action Date: Board of Aldermen Action Date:

90-Day Expiration Date:

November 18, 2008

January 21, 2009

February 2, 2009

February 16, 2009

DATE:

November 18, 2008

TO:

Board of Aldermen

FROM:

Michael Kruse Director of Planning and Development

Candace Havens, Chief Planner

Benjamin Solomon-Schwartz, Senior Planner

SUBJECT:

#332-08 COMMUNITY SERVICE STATIONS, INC. petition to AMEND Special

Permit/Site Plan Approval #280-98(2), granted on December 4, 2000, by converting the one remaining full-service pump to self-service, making all six fueling positions self-service at 79 NEEDHAM STREET, Ward 5, on land known as Sec 51, Blk 28, Lot 19, containing approx 19,625 sf of land in a district zoned MIXED USE 1. Ref:

Sec 30-24, 30-13 (b)(8), 30-5(c)(2) of the City of Newton Rev Ord, 2007.

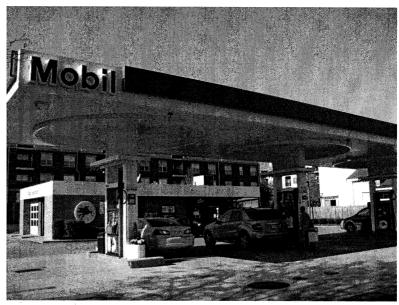
CC:

Mayor David B. Cohen

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.

#### **EXECUTIVE SUMMARY**

The site consists of an existing gasoline service station at the north end of Needham Street. Currently five of the six pumping stations are self service, while the sixth pumping station is currently full-service. Section 30-13(b)(8) provides that the Board of Alderman may grant a special permit for a gasoline service station, and Section 30-5(c)(2)allows the Board of Alderman to grant a special permit for the operation of self-service pumping station. A special permit approved per Board Order #280-98(2) (SEE



**ATTACHMENT "A")** permitted the five self-service pumps in December 2000. The petitioner reports declining sales from the full-service station and seeks to amend the existing special permit in order to convert the sixth pumping station to self-service.

The petitioner does not propose any construction with this change, as the current infrastructure is adequate for self-service at all pumping stations. The facility will retain all existing services beyond the gasoline pumps.

The conversion of the pumping station as proposed should not significantly reduce the full-service options in the City of Newton nor will it eliminate the full-service options in the vicinity of Needham Street. However, the gradual elimination of full-service options may pose a hardship to the elderly and people with disabilities. Outside of the context of this petition, further exploration of the City's policy regarding the provision of full-service options may be useful in assessing the City's long-term objectives pertaining to gasoline sales.

#### I. SIGNIFICANT ISSUES FOR CONSIDERATION

In reviewing this petition the Board should consider whether the following findings apply:

- ♦ The public convenience and welfare will be not be diminished by changing the last remaining full-serve gasoline dispenser at this station to self-service; and
- The use as developed and operated will not adversely affect the neighborhood.

#### II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

#### A. Neighborhood and Zoning

The property is located at the northeast end of the Needham Street commercial corridor. The site is bordered on the south and west by the "Avalon at Newton Highlands" apartment complex, and on the north by the International Bicycle shop. Across Needham Street to the east is the New England Mobile Book Fair. The site is within a large Mixed-Use 1 district. The land across Needham Street to the east is zoned Mixed Use 2 (SEE ATTACHMENTS "B" AND "C"). The nearest gas stations are on Winchester Street, Route 9 and across the Charles River on Highland Avenue in the Town of Needham.

#### B. Site

The site has been operated as a service station and oil distributor since 1935, and Community Service Stations, Inc. has operated a Mobil Service Station on this site since 1990. The site is approximately 19,625 sq.ft. in area and includes 125 feet of frontage on Needham Street. The site is accessed by two driveways that are about 40 feet apart. The one-story, 1,920 sq.ft., brick-faced building is approximately 12 feet in height and contains a two-bay garage. This main structure is approximately 39 feet from Needham Street. In front of this building are three service islands covered by a 17 foot high canopy with recessed lighting. There is a detached storage building at the rear of the site, which was approved in 1998 for use as an inspection bay.

#### III. PROJECT DESCRIPTION AND ANALYSIS

#### A. Land Use

The petitioner reports declining full-service sales, as well as increasing costs for maintaining the staff to support the full-service operation. The petitioner reports a decline of gasoline sold via full-service from 143,925 gallons in August 2004 to 131,885 gallons in July 2008. Moreover, the petitioner reports that full-service sales represent a declining percentage of total sales, declining from 3.7% of the total gallons sold in August 2004 to 2.3% of the total gallons sold in July 2008 (SEE ATTACHMENT "D"). Given the declining sales and the cost of full staffing for the full-service station, a conversion of the remaining full-service station to self-service may reduce wait times at peak periods.

The petitioner demonstrates a commitment to continued quality service by retaining all the other service options on site, including the inspection sticker operation and on-site vehicle service and repairs.

The conversion of the station would reduce service options for the elderly and people with disabilities. These populations may be unable to pump their own gas or may do

so only with a high level of difficulty. The federal Americans with Disabilities Act requires any gasoline station with no full service facilities to provide full service to the disabled upon request and without any additional charge. However, such arrangements are not as beneficial to people with disabilities and the elderly as a full-service facility.

Of the 18 gasoline stations in the City of Newton that are currently operational, twelve provide only full-service, four provide only self-service, and three provide both self-service and full-service options. The closest gas station to the petitioner's property, located at 50 Winchester Street, provides four full-service pumping stations.

An examination of the pricing of gasoline stations throughout the City of Newton reveals that the price of gasoline at the petitioner's facility is comparable to prices elsewhere in the city (SEE ATTACHMENT "E"). Prices at the 79 Needham Street facility fall within the range for full-service and self-service options. For example, on October 27, 2008, the petitioners charged \$2.659 for regular self-service gasoline, while prices elsewhere ranged between \$2.599 and \$2.699. On the same day, the petitioners charged \$2.759 for regular self-service gasoline, while prices elsewhere ranged between \$2.599 and \$2.95. Differences in price do not appear to be driving the decline in full-serve sales at the petitioner's facility.

The difference between the price for full-service and self-service gasoline at 79 Needham Street is also comparable to the price difference found at the other stations that offer both full-service and self-service. At 79 Needham Street and the Shell at 979 Watertown Street, there is a ten-cent premium for full-service. At West Newton Auto Services at 1200 Washington Street, the prices for full-service and self-serve gasoline are equal.

The conversion of the pumping station as proposed should not significantly reduce the full-service options in the City of Newton nor will it eliminate the full-service options in the vicinity of Needham Street. However, the gradual elimination of fullservice options may pose a hardship to the elderly and people with disabilities.

#### B. <u>Building and Site Design</u>

No changes will be made to the building or site design.

#### C. Parking and Circulation

No construction or changes in parking or circulation are planned. The change of a single pumping station to self-service does not require any additional parking stalls.

#### D. <u>Landscape Screening, Lighting, and Signage</u>

Because there are not changes to the physical structure of the station, no changes to landscaping, lighting or signage are either planned or necessary.

#### IV. COMPREHENSIVE PLAN

The 2007 Newton Comprehensive Plan does not discuss the role of full-service and self-service gasoline stations in the City of Newton. It does emphasize the importance of diversity in the City, including services for the elderly and people with disabilities. Conversions of full-service gasoline pumping stations to self-service stations may reduce service options for this population. The Newton Comprehensive Plan suggests that any benefit for the population as a whole must be weighed against the disadvantages for the elderly and people with disabilities. As a whole, this petition is consistent with the Newton Comprehensive Plan.

#### V. TECHNICAL REVIEW

- A. <u>Technical Considerations (Section 30-15)</u>. The existing site is nonconforming with respect to lot area and the setbacks of the detached inspection bay structure as approved through previous special permits. However, there are no proposed changes to the site or any of the exiting structures that would require consideration of dimensional controls.
- B. <u>Parking Requirements (Section 30-19)</u>. The conversion of a single gasoline pumping station from full-service to self-service would not trigger any additional parking requirements.

#### C. Other Reviews

- 1. <u>Engineering.</u> The Associate City Engineer reviewed this project at the time of building permit and had no concerns about this proposed change.
- 2. <u>Fire Department.</u> Assistant Fire Chief Proia reviewed site plans (SEE ATTACHMENT "F") and has approved the site layout for accessibility.

#### VI. ZONING RELIEFS SOUGHT

Based on the completed zoning review, dated September 18, 2008 (SEE ATTACHMENT "G"), the petitioners are seeking approval through or relief from:

- > Section 30-13(b)(8) to allow a gasoline service station in the MU-1 zoning district;
- > Section 30-5(c)(2) to amend Board Order #280-98(2) to allow the conversion of a sixth pumping station from full-service to self-service;
- > Section 30-23 for Site Plan Approval; and
- > Section 30-24 for approval of Special Permit.

Petition No. 332-08 Page 6 of 6

#### VII. <u>Summary of Petitioner's Responsibilities</u>

The petition is currently complete.

#### **ATTACHMENTS**

ATTACHMENT A: Board Order 280-98(2), dated December 4, 2000

ATTACHMENT B: Land Use Map
ATTACHMENT C: Zoning Map

ATTACHMENT D: Gasoline Sales at 79 Needham Street

ATTACHMENT E: Gas Price Comparison

ATTACHMENT F: Fire Department Review, dated October 27, 2008

ATTACHMENT G: Zoning Review Memorandum, dated September 18, 2008

#### ATTACHMENT A

DEPARTMENT OF PLANNING AND DEVELOPMENT CITY HALL 1000 Commonwealth Avenue NEWTON, MASSACHUSETTS COLF

#280-98(2)

#### **CITY OF NEWTON**

#### IN BOARD OF ALDERMEN

December 4, 2000

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action and that said action will be without substantial detriment to the Riblic good, and wathout substantially derogating from the intent or purpose of the Zoning Ordinance, hereby grants the following AMENDMENT TO SPECIAL PERMITS and SITE PLAN APPROVALS #280-98 and #548-88, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefor, through its Chairman, Alderman Susan M.

5416/351 👼 Bash<u>a</u>m:

1. The Board finds that the public convenience and welfare will be served by the petitioner responding to the market demand for self-service fueling stations without abandoning fullservice.

2. The Board finds that the service station is a well-run business, and the change in ₹se wi allow the owner to continue serving the community's needs.

PETITION NUMBER:

280-92(2)

PETITIONER:

Community Service Stations, Inc.

LOCATION:

79 Needham Street

OWNER:

Community Service Stations, Inc.

ADDRESS OF OWNER:

1253 Worcester Road, Suite 201

Framingham, MA 01701

TO BE USED FOR:

Conversion of five of the six existing full-service fueling stations to self-service; the sixth fueling station will remain

as full-service.

CONSTRUCTION:

Not Applicable.

**EXPLANATORY NOTE:** 

The petitioner is proposing to amend Board Orders #280-98 and #548-88 to allow for the conversion of five full-service fueling stations to self-service; Section 30-5-(c)(2) states that no self-service gasoline service statients were Consoline

Edward H. Bughow

MSD 01/05/01 03:31:08

advard & Bugbook

service stations with self-service pumping facilities shall be allowed without a special permit; and Section 30-13(b)(8) requires a special permit in Mixed Use 1 Districts for gasoline service stations with self-service gasoline pumping facilities.

Land referred to is located in Mixed Use 1 District.

Approved, subject to the following conditions:

- 1. All existing buildings, parking areas, driveways, and other site features shall be maintained, and the utilization of the fueling pumps ("full" vs. "self" service) shall be located consistent with a plan entitled "Site Plan to Accompany Petition of Community Service Stations, Inc.," prepared by Bohler Engineering, P.C., dated 9/27/00.
- 2. Regardless of whether the accessory snack sales permitted by Board Order #548-88 continues, the service station shall provide on-site service and repair for customer vehicles.
- 3. That, except as amended by this board order, all conditions of Board Orders #280-98 and #548-88 shall remain in effect.
- 4. No building permit shall be issued pursuant to this SPECIAL PERMIT and SITE PLAN APPROVAL until:
  - a. The petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a Certified copy of this Board Order granting this SPECIAL PERMIT and SITE PLAN APPROVAL with appropriate reference to the book and page of the recording of the Petitioner's title deed or notice of lease endorsed thereon.
  - b. A certified copy of such recorded notice shall have been filed with the City Clerk, the Inspectional Services Department and the Department of Planning and Development.
- 5. The five self-service fueling stations authorized by this SPECIAL PERMIT and SITE PLAN APPROVAL shall not be used until:
  - a. The petitioner has filed with the City Clerk, the Department of Inspectional Services and the Department of Planning and Development, a statement by a registered architect or registered engineer certifying compliance with compliance.

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Ald. Salvucci and Schnipper)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT/SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on V/WThe undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST:

acting Clerk of the Board of Aldermen LINDA FINUZANE

> I, Edward G. English, as the Clerk of the Board of Aldermen and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the Office of the City Clerk on 12/6/0 and that NO APPEAL to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST:

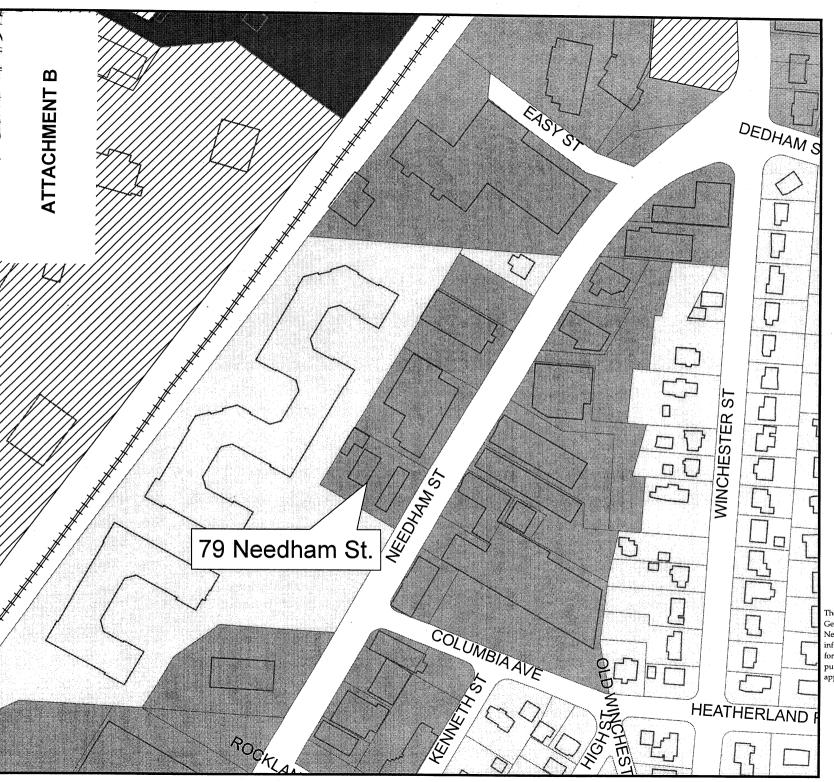
Clerk of the Board of Aldermen

A True Copy

### JAN 0 5 2001

COMMONWEALTH OF MASSACHUSETTE
MIDDLESEX S.S.
SOUTH DIST. REGISTRY OF DEEDS
CAMBRIDGE, MA
I HEREBY CERTIFY THE FOREGOING
IS A TRUE COPY OF A PAPER / / !
RECORDED IN BOOK
PAGE
Eugen Co Brunes
REGISTER

870



## Land Use Map

City of Newton, Massachusetts

#### Legend

Industrial

Public/Charitable

Commercial

Residential

HHH Railroads

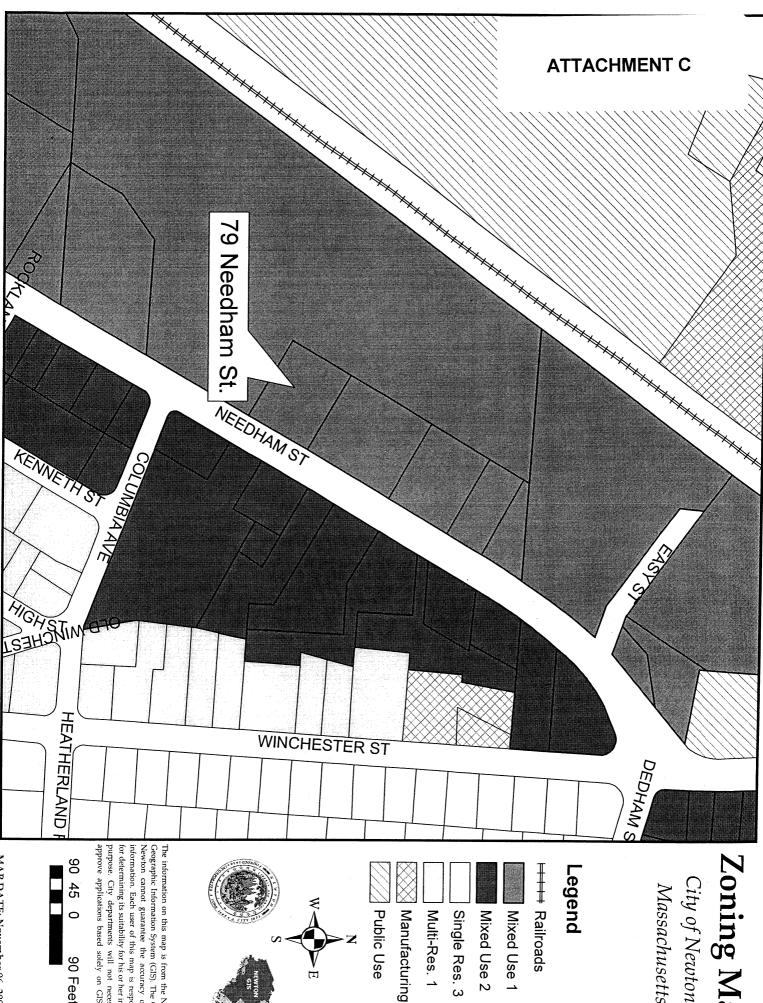






The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

9<u>0</u> 45 0 90 Feet



# Zoning Map City of Newton,

Massachusetts

HHH Railroads



Mixed Use 1



Multi-Res. 1







purpose. City departments will not necessarily approve applications based solely on GIS data. for determining its suitability for his or her intended information. Each user of this map is responsible Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this The information on this map is from the Newton

0

#### ATTACHMENT D

Reg	Newton Full Serve S	preadsheet			FullServe		tull-Serve
Beginning	Month	Reg	Spec	Super	Total		
831/2004 88438 2026 64108 5382 143925 3.739 9/30/2004 88686 30206 66137 5862 141500 4.143 10/31/2004 89616 3080 67994 5441 147957 3.677 11/30/2004 92266 31712 70111 5599 141263 3.964 12/31/2004 93510 32/52 72471 6444 142795 4.513 1/31/2005 98397 34059 74520 6443 132721 4.855 1/31/2005 101320 30509 76352 5755 124497 4.623 3/31/2005 101320 30509 76352 5755 124497 4.623 3/31/2005 104364 36177 76355 6165 139360 4.424 4/30/2005 106933 37075 80029 5141 139344 3.689 5/31/2005 110698 38176 81907 6144 149133 4.120 6/30/2005 112699 3125 83911 5524 144407 3.825 7/31/2005 110698 38176 81907 6144 149133 4.120 6/30/2005 117696 40790 87164 4641 139476 3.327 9/30/2005 117696 40790 87164 4641 139476 3.327 9/30/2005 117696 40790 87164 4641 139476 3.327 9/30/2005 112694 4336 90687 53223 140222 3.796 11/30/2005 122479 42266 90687 53223 140222 3.796 11/30/2005 122479 42266 90687 53223 140222 3.796 1/31/2006 130304 4457 96478 4992 136007 3.670 2/28/2006 132084 45542 98080 4237 116625 3.633 3/31/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 137642 47141 101670 5044 144900 3.481 1/31/2006 130495 4857 96478 4992 136007 3.670 2/28/2006 137642 47141 101670 5044 144900 3.481 1/31/2006 130495 4857 96478 4992 136007 3.670 2/28/2006 137642 47141 101670 5044 144900 3.481 1/31/2006 13044 4557 96478 4992 1350007 3.670 2/28/2006 142893 48677 106271 5085 147635 3.444 1/31/2006 144978 49399 106590 4237 116625 3.633 3/31/2006 144978 49399 106590 4237 115625 3.633 1/31/2006 14978 50004 107781 3769 139933 2.689 3/31/2006 144978 50004 107781 3769 139933 2.689 3/31/2007 157562 55527 114793 4747 134106 3.544 1/31/2007 157562 55527 114793 4747 134106 3.540 1/31/2007 16454 55950 119428 4829 144788 3.335 1/31/2007 15768 5652 72799 13054 4570 137105 3.333 1/31/2007 16454 55950 119428 4829 144788 3.335 1/31/2007 169010 57392 12430 4161 153122 2.717 1/31/2007 17046 5788 13561 32054 4989 139033 3.687 1/31/2007 17910 6069 13948 6060 135454 3724 4198 131581 3.190 1/31/2008 18461 6600 135454 3724 4199 139633 3.697 1/31/2008 189486 64680 135389 44710 154399					Sales/Mo.	Gallons/Mo.	Total Galls/Mo.
930/2004 8888 30026 66137 5862 141500 4.143 10/31/2004 9266 31712 70111 5599 141263 3.964 11/31/2004 95310 32752 72471 6444 142795 4.513 11/31/2005 98397 34059 74520 6443 132721 4.855 2/28/2005 101320 35059 76352 5755 124497 4.623 3/31/2005 104364 36177 78355 6165 139360 4.424 4/30/2005 104933 37075 80029 5141 139344 3.689 5/31/2005 110893 3776 80029 5141 139344 3.689 5/31/2005 110898 39125 83911 5524 144407 3.825 6/30/2005 113699 39125 83911 5524 144407 3.825 6/30/2005 119898 39125 83911 5524 144407 3.825 10/31/2005 117696 40790 87164 4641 139476 3.327 10/31/2005 112699 39125 83911 5524 144407 3.825 11/30/2005 119898 48592 5304 140555 3.774 8/31/2005 119898 41517 88666 4561 141511 3.223 10/31/2005 12479 42268 90687 5323 140222 3.796 11/30/2005 124964 4333 92603 5369 127494 4.211 12/211/2006 13034 44957 96478 4992 136007 3.670 1/31/2006 13/4950 46410 100049 5703 141365 13/31/2006 13/4950 46410 100049 5703 141365 13/31/2006 13/4950 46410 100049 5703 141363 13/31/2006 144978 49399 106590 4237 116625 3.633 13/31/2006 13/4950 46410 100049 5703 141363 4.034 14/30/2006 13/4950 46410 100049 5703 141363 4.034 14/30/2006 13/4950 46410 100049 5703 141363 4.034 14/30/2006 13/4958 50607 105711 5065 139128 2.966 13/31/2006 144978 49399 106590 4126 139128 2.966 13/31/2006 144978 49399 106590 4126 139128 2.966 13/31/2006 144978 49399 106590 4126 139128 2.966 13/31/2006 144978 49399 106590 4126 139128 2.966 13/31/2006 144978 49399 106590 4126 139128 2.966 13/31/2006 159985 51922 111678 3979 127903 3.111 12/31/2006 159985 51922 111678 3979 127903 3.111 12/31/2007 157682 59597 19428 4829 144766 3.332 1/31/2007 157682 59597 19428 4829 144766 3.332 1/31/2007 157682 59597 19428 4829 144766 3.332 1/31/2007 157682 60098 127666 4883 147061 153122 2.717 1/31/2007 170460 57892 124706 4883 14707 134108 3.333 1/31/2007 157682 60098 127666 4883 147061 153122 2.717 1/31/2007 170460 57892 124706 3702 13989 139893 2.244 1/31/2007 179410 60860 139486 6460 139484 4999 138038 3.667 1/31/2007 179410 60860 139486 6460 139782 4470 13989 2.969 1/31/							•
10031/2004 89616 30880 67994 5441 147957 3.677 11730/2004 92266 31712 70111 5599 141283 3.994 112/311/2004 95310 32752 72471 6444 142795 4.513 1/31/2005 98397 34059 74520 6443 132721 4.865 27/81/2005 101320 35059 76352 5755 124497 4.623 3/31/2005 104364 36177 78355 6165 139360 4.424 4/30/2005 106933 37075 80029 5141 139344 3.689 5/31/2005 110098 38176 81907 6144 149133 4.120 6/30/2005 110098 38176 81907 6144 149133 4.120 6/30/2005 110098 38176 81907 6144 149133 4.120 6/30/2005 1115359 39858 85792 5304 140550 3.774 8/31/2005 1175359 39858 85792 5304 140550 3.774 8/31/2005 1175359 39858 85792 5304 140550 3.774 8/31/2005 117598 41617 88686 4561 141511 3.223 10/31/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 127730 44149 94598 5574 137991 4.039 1/31/2006 130034 44957 96478 4992 136007 3.670 2/28/2006 132084 45542 98080 4237 116625 3.633 3/31/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 137642 47141 101670 5044 144900 3.481 6/31/2006 144978 49399 106590 4126 139128 2.966 8/31/2006 144978 49399 106590 4126 139128 2.966 8/31/2006 144978 49399 106590 4126 139128 2.966 8/31/2006 146912 50043 107781 3769 139933 2.683 9/30/2006 146912 50043 107781 3769 139933 2.683 9/30/2006 146912 50043 107781 3769 139133 2.683 9/30/2006 146912 50043 107781 3769 139133 2.683 9/30/2006 146912 50043 107781 3769 139133 3.689 3.933 3.2693 3.13112007 167682 55159 117607 4646 138690 3.344 4/30/2006 152685 55159 117607 4646 138690 3.349 4/30/2007 167482 55950 119088 48677 105271 5005 4441 11905 3.224 4/30/2007 167482 55950 119088 48677 105271 5005 147635 3.444 4/30/2006 146912 50043 107781 3769 139138 3.2683 1/31/2007 167682 56152 12770 4419 4490 3.484 4/30/2006 146912 50043 107781 3769 139138 3.2683 3/31/2007 167482 55950 119088 56615 120668 4751 13054 319333 2.683 3/31/2007 167482 55950 119088 56615 120668 4751 13054 310553 3.224 3.264 3.3650 3.3677 131/2007 167682 56159 17006 44610 13							
11/30/2004 9:266 31712 70111 5599 141283 3.964 12/31/2004 9:5310 32752 72471 6444 142755 4.513 1/31/2005 98397 34059 74520 6443 132721 4.855 2/28/2005 101320 35059 76352 5755 124497 4.623 3/31/2005 104364 36177 78355 6165 139360 4.424 4/30/2005 106933 37075 80029 5141 139344 3.689 5/31/2005 110938 38176 81907 6144 149133 4.120 6/30/2005 110989 39125 83911 5524 144407 3.825 6/30/2005 112689 39125 83911 5524 144407 3.825 6/30/2005 115699 39125 83911 5524 8/31/2005 117696 40790 87164 4641 139476 3.327 1/31/2005 115898 39868 85792 5304 140550 3.774 8/31/2005 117696 40790 87164 4641 139476 3.327 9/30/2005 119928 41617 88666 4561 141511 3.223 10/31/2005 122479 42368 90667 5323 140222 3.796 11/30/2005 124864 43336 92603 5369 127494 4.211 2/231/2005 12730 44149 94598 5574 137991 4.039 1/31/2006 132084 45542 98080 4237 116625 3.633 3/31/2006 132084 45542 98080 4237 116625 3.633 3/31/2006 134050 46410 100049 5703 141363 4.034 4/30/2006 137642 47741 101670 5044 144900 3.481 6/31/2006 140377 47803 103576 5303 150518 3.528 6/30/2006 146912 50043 107781 3769 139933 2.693 8/31/2006 146912 50043 107781 3769 139933 2.693 8/31/2006 146912 50043 107781 3769 139933 2.693 8/31/2006 15285 5192 11678 3979 127903 3.111 1/231/2006 15285 5192 11678 3979 127903 3.111 1/231/2006 15285 5192 11678 3979 127903 3.111 1/231/2007 175482 5559 119428 4829 14746 3.369 8/31/2007 167485 56607 109018 3687 129549 2.846 10/31/2007 157582 53527 114793 4747 134106 3.540 1/3/31/2007 167485 5619 117807 4645 138690 3.349 4/30/2007 167480 56607 109018 3687 129549 2.846 10/31/2007 157582 53527 114793 4747 134106 3.540 1/3/31/2007 167485 5619 177807 4645 138690 3.349 4/30/2007 167480 56607 109018 3687 129549 2.846 10/31/2007 177460 57878 123615 3121 140953 2.274 1/3/31/2007 167485 5619 177807 4645 138690 3.349 4/30/2007 167480 56607 109018 3687 129549 2.846 10/31/2007 170460 57878 123615 3121 140953 2.274 1/3/31/2007 167485 6660 138484 3794 4797 134106 3.540 1/3/31/2007 170460 57878 123615 3121 140953 2.274 1/3/31/2007 170460 57878 123615 3121 140953 2.274 1/3	9/30/2004	86886	30026	66137			
1231/2004 95310 32752 72471 64444 142795 4.513 1/31/2005 98397 34059 74520 6443 132721 4.855 1/31/2005 101320 35059 76332 5755 124497 4.623 3/31/2005 104364 36177 78355 6165 139360 4.424 4/30/2005 106933 37075 80029 5141 139344 3.689 5/31/2005 110098 38176 81907 6144 149133 4.120 6/30/2005 110098 38176 81907 6144 149133 4.120 6/30/2005 112689 39125 83911 5524 144407 3.825 7/31/2005 115359 39858 85792 5304 140550 3.774 8/31/2005 117596 40790 87164 4641 139476 3.327 8/31/2005 117596 40790 87164 4641 139476 3.327 8/31/2005 119928 41617 88666 4551 141511 3.223 10/31/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 124964 43336 92603 5369 127494 4.211 12/31/2006 130034 44957 96478 4992 136007 3.670 2/2/28/2006 130034 44957 96478 4992 136007 3.670 2/2/28/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 134950 46410 100049 5703 141363 4.034 4/30/2006 144978 49399 106590 4126 139128 2.966 6/30/2006 146977 47803 103576 5303 150318 3.528 6/30/2006 144978 49399 106590 4126 139128 2.966 6/30/2006 146912 50043 107781 3769 139933 2.693 8/31/2006 159854 51334 110318 4183 136884 3.056 1/31/2006 159854 51334 110318 4183 136884 3.056 1/31/2006 159854 51334 110318 4183 136884 3.056 1/31/2006 159854 51334 110318 4183 136884 3.056 1/31/2007 157582 53527 114793 4747 134106 3.333 1/31/2007 167582 53527 114793 4747 134106 3.333 1/31/2007 167582 55590 119428 4829 147786 3.333 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 119018 3687 129549 2.846 1/31/2007 167682 5660 11906 14600 14600 14600 14600 14600 14600 14600 14600 14600 14600 14600 146	10/31/2004	89616	30880	67994	5441	147957	3.677
1/31/2005	11/30/2004			70111		141263	3.964
22/28/2005         1013/20         35059         76352         5755         124497         4.623           3/31/2005         104364         36177         78355         6165         139360         4.424           4/50/2005         106933         37075         80029         5141         139344         3.689           5/31/2005         110988         38176         81907         6144         149133         4.120           6/30/2005         112699         39125         83911         5524         144407         3.825           7/31/2005         115399         39858         85792         5304         140550         3.774           8/31/2005         117592         40790         87164         4641         139476         3.327           9/30/2006         119282         41617         88666         4561         141511         3.223           10/31/2005         124964         43336         92603         5369         127494         4.211           12/31/2006         137790         44149         94598         5574         137991         4.039           1/31/2006         130244         45542         98080         4237         116625         3.633      <	12/31/2004	95310	32752	72471	6444	142795	4.513
3/31/2005 10/4364 36177 78255 6165 139360 4.424 4/30/2005 10/6933 37075 80029 5141 139344 3.689 5/31/2005 110088 36176 81907 6144 149133 4.120 6/30/2005 112669 36176 81907 6144 149133 4.120 6/30/2005 112669 39125 83911 5524 144407 3.825 7/31/2005 113539 39858 85792 5304 140550 3.774 8/31/2005 117698 40790 87164 4641 139476 3.327 8/31/2005 11928 41617 88666 4561 141511 3.223 10/31/2005 122479 42368 90687 5323 140222 3.796 11/30/2005 124964 43336 92603 5369 127494 4.211 12/31/2006 127730 44149 94598 5574 137991 4.039 1/31/2006 13/0044 44957 96478 4992 136007 3.670 2/2/2/2006 13/0044 45542 98080 4237 116625 3.633 3/31/2006 13/4950 46410 100049 5703 141363 4.034 4/30/2006 13/462 47141 101670 5044 144900 3.461 5/31/2006 140377 47803 103576 5303 150318 3.528 6/30/2006 144898 48677 105271 5085 147635 3.444 4/30/2006 144978 49399 166590 4126 139128 2.996 8/31/2006 146912 50043 107781 3769 139933 2.693 9/30/2006 146912 50043 107781 3769 139933 2.693 9/30/2006 159985 51922 111678 3979 127903 3.111 1/31/2006 155362 52739 113054 4574 12006 13348 3.354 1/31/2006 155362 52739 113054 4574 12006 3.349 4/30/2006 150984 5134 110318 4183 136884 3.056 11/30/2006 150984 5134 110318 4183 136884 3.056 11/30/2006 150984 5134 110318 4183 136884 3.056 11/30/2006 150984 5134 110318 4183 136884 3.056 11/30/2006 150984 5134 110318 4183 136884 3.056 11/30/2006 150985 51922 111678 3979 127903 3.111 12/21/2006 150984 5134 110318 4183 136884 3.056 11/30/2007 167682 65615 120668 4751 152201 3.122 6/30/2007 169010 57392 122430 4161 153122 2.777 1/31/2007 167682 65615 120668 4751 152201 13220 1/31/2007 167688 65615 120668 4751 152201 13220 1/31/2007 170460 57878 123615 3121 140933 2.244 1/30/2007 170460 57878 123615 3121 140933 2.244 1/30/2007 170460 5868 12615 4108 4191 136536 3.355 1/31/2007 167682 66081 129150 4683 143923 2.2544 1/30/2008 19818 64006 136454 3724 137989 136662 3.241 1/30/2008 19818 64006 136454 3724 137989 136602 3.241 1/30/2008 19818 64006 136454 3724 137989 2.699 5/31/2008 19818 64006 136454 3724 4170 152439 2.736	1/31/2005	98397	34059	74520	6443	132721	4.855
4/30/2005         106933         37075         80029         5141         139344         3.689           5/31/2005         110988         38176         81907         6144         149133         4,120           6/30/2005         112669         39125         83911         5524         144407         3.825           7/31/2005         115559         39858         85792         5304         140550         3.774           8/31/2005         117996         40790         87164         4641         139476         3.327           9/30/2005         119928         41617         88666         4561         141511         3.223           10/31/2005         122494         42368         90687         5323         140222         3.796           11/30/2005         127730         44149         94598         5574         137991         4.039           1/31/2006         130044         44957         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116655         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034 <t< td=""><td>2/28/2005</td><td>101320</td><td>35059</td><td>76352</td><td>5755</td><td>124497</td><td>4.623</td></t<>	2/28/2005	101320	35059	76352	5755	124497	4.623
6531/2005         110098         38176         81907         6144         149133         4.120           6/30/2005         112669         39125         83911         5524         14407         3.825           7/31/2005         115359         39858         85792         5304         140550         3.774           8/31/2005         117696         40790         87164         4641         139476         3.327           10/31/2005         122479         42368         90687         5323         140222         3.796           11/30/2005         122494         43368         92603         5369         127494         4.211           12/31/2005         122730         44149         94598         5574         137991         4.039           1/31/2006         130034         44557         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116625         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034           4/30/2006         137622         47141         101670         5044         144900         3.441      <	3/31/2005	104364	36177	78355	6165	139360	4.424
6531/2005         110098         38176         81907         6144         149133         4.120           6/30/2005         112669         39125         83911         5524         14407         3.825           7/31/2005         115359         39858         85792         5304         140550         3.774           8/31/2005         117696         40790         87164         4641         139476         3.327           10/31/2005         122479         42368         90687         5323         140222         3.796           11/30/2005         122494         43368         92603         5369         127494         4.211           12/31/2005         122730         44149         94598         5574         137991         4.039           1/31/2006         130034         44557         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116625         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034           4/30/2006         137622         47141         101670         5044         144900         3.441      <	4/30/2005	106933	37075	80029	5141	139344	3.689
6/30/2005	5/31/2005	110098	38176	81907	6144	149133	4.120
7/31/2005         115359         39858         85792         5304         140550         3.774           8/31/2005         117696         40790         87164         4641         139476         3.327           9/30/2005         119928         41617         88666         4561         141511         3.223           10/31/2005         122479         42368         90687         5323         140222         3.796           11/30/2005         124964         43336         92603         5369         127494         4.211           11/31/2006         130034         44957         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116625         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034           4/30/2006         134950         46410         100499         5703         141363         4.034           4/31/2006         140377         47803         103576         5303         150318         3.528           6/30/2006         142893         48677         105271         5085         147635         3.444	6/30/2005				5524	144407	3.825
8/31/2005					5304	140550	
9/30/2005							
10/31/2005         122479         42388         90687         5323         140222         3.796           11/30/2005         124964         43336         92603         5369         127494         4.211           12/31/2005         127730         44149         94598         5574         137991         4.039           1/31/2006         130034         44957         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116625         3.533           3/31/2006         134950         46410         100049         5703         141363         4,034           4/30/2006         137642         47141         101670         5044         144900         3.481           5/31/2006         140377         47803         103576         5303         150318         3.528           6/30/2006         142893         48677         105271         5085         147635         3.444           7/31/2006         146912         50043         107781         3769         139128         2.966           8/31/2006         146912         50043         107781         3769         13933         2.264					4561		
11/30/2005         124964         43336         92603         5369         127494         4.211           12/31/2005         127730         44149         94598         5574         137991         4.039           1/31/2006         130034         44957         96478         4992         136007         3.670           2/28/2006         132084         45542         98080         4237         116625         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034           4/30/2006         137642         47141         101670         5044         144900         3.481           5/31/2006         140377         47803         103576         5303         150318         3.528           6/30/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         146912         50043         107781         3769         139933         2.693           8/31/2006         150954         51334         110318         4183         13684         3.056							
12/31/2005         127730         44149         94588         5574         137991         4,039           1/31/2006         130034         44957         96478         4992         136007         3,670           2/28/2006         132084         45542         98080         4237         116625         3,633           3/31/2006         134950         46410         100049         5703         141363         4,034           4/30/2006         137642         47141         101670         5044         144900         3,481           5/31/2006         140377         47803         103576         5303         150318         3,528           6/30/2006         144893         48677         105271         5085         147635         3,444           7/31/2006         144978         49399         106590         4126         139128         2,966           8/31/2006         14978         50607         109018         3687         129549         2,846           10/31/2006         159954         51334         110318         4183         136884         3,056           11/30/2006         152965         51922         111678         3979         127903         3,111							
1/31/2006							
2/28/2006         132084         45542         98080         4237         116625         3.633           3/31/2006         134950         46410         100049         5703         141363         4.034           4/30/2006         137642         47141         101670         5044         144900         3.481           5/31/2006         140377         47803         103576         5303         150318         3.528           6/30/2006         142893         48677         105271         5085         147635         3.444           7/31/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         146912         50043         107781         3769         139933         2.693           9/30/2006         148798         50607         109018         3687         129549         2.846           10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
3/31/2006							
4/30/2006       137642       47141       101670       5044       144900       3.481         5/31/2006       140377       47803       103576       5303       150318       3.528         6/30/2006       142893       48677       105271       5085       147635       3.444         7/31/2006       144978       49399       106590       4126       139128       2.966         8/31/2006       146912       50043       107781       3769       139933       2.693         9/30/2006       148798       50607       109018       3687       129549       2.846         10/31/2006       150954       51334       110318       4183       136884       3.056         11/30/2006       152985       51922       111678       3979       127903       3.111         12/31/2006       155362       52739       113054       4570       137105       3.333         1/31/2007       157582       53527       114793       4747       134106       3.540         2/28/2007       159799       54345       116302       4544       122034       3.724         3/31/2007       162125       55159       117807       4645       138690 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
5/31/2006         140377         47803         103576         5303         150318         3.528           6/30/2006         142893         48677         105271         5085         147635         3.444           7/31/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         146912         50043         107781         3769         139933         2.693           9/30/2006         148798         50607         109018         3687         129549         2.846           10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349     <							
6/30/2006         142893         48677         105271         5085         147635         3.444           7/31/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         146912         50043         107781         3769         139933         2.693           9/30/2006         148798         50607         109018         3687         129549         2.846           10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349           4/30/2007         164542         55950         119428         4829         144786         3.335     <							
7/31/2006         144978         49399         106590         4126         139128         2.966           8/31/2006         146912         50043         107781         3769         139933         2.693           9/30/2006         148798         50607         109018         3687         129549         2.846           10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349           4/30/2007         164542         55950         119428         4829         144786         3.335           5/31/2007         167088         56615         120968         4751         152201         3.122     <							
8/31/2006         146912         50043         107781         3769         139933         2.693           9/30/2006         148798         50607         109018         3687         129549         2.846           10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349           4/30/2007         164542         55950         119428         4829         144786         3.335           5/31/2007         167088         56615         120968         4751         152201         3.122           6/30/2007         169010         57392         122430         4161         153122         2.717     <							
9/30/2006							
10/31/2006         150954         51334         110318         4183         136884         3.056           11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349           4/30/2007         164542         55950         119428         4829         144786         3.335           5/31/2007         167088         56615         120968         4751         152201         3.122           6/30/2007         169010         57392         122430         4161         153122         2.717           7/31/2007         170460         57878         123615         3121         140953         2.214           8/31/2007         172387         58562         124706         3702         138274         2.677     <							
11/30/2006         152985         51922         111678         3979         127903         3.111           12/31/2006         155362         52739         113054         4570         137105         3.333           1/31/2007         157582         53527         114793         4747         134106         3.540           2/28/2007         159799         54345         116302         4544         122034         3.724           3/31/2007         162125         55159         117807         4645         138690         3.349           4/30/2007         164542         55950         119428         4829         144786         3.335           5/31/2007         167088         56615         120968         4751         152201         3.122           6/30/2007         169010         57392         122430         4161         153122         2.717           7/31/2007         170460         57878         123615         3121         140953         2.214           8/31/2007         172387         58562         124706         3702         138274         2.677           9/30/2007         174450         59298         126015         4108         141673         2.900 </td <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
12/31/2006       155362       52739       113054       4570       137105       3.333         1/31/2007       157582       53527       114793       4747       134106       3.540         2/28/2007       159799       54345       116302       4544       122034       3.724         3/31/2007       162125       55159       117807       4645       138690       3.349         4/30/2007       164542       55950       119428       4829       144786       3.335         5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       181592       61602       130746       4911       136536 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
1/31/2007       157582       53527       114793       4747       134106       3.540         2/28/2007       159799       54345       116302       4544       122034       3.724         3/31/2007       162125       55159       117807       4645       138690       3.349         4/30/2007       164542       55950       119428       4829       144786       3.335         5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
2/28/2007       159799       54345       116302       4544       122034       3.724         3/31/2007       162125       55159       117807       4645       138690       3.349         4/30/2007       164542       55950       119428       4829       144786       3.335         5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
3/31/2007       162125       55159       117807       4645       138690       3.349         4/30/2007       164542       55950       119428       4829       144786       3.335         5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
4/30/2007       164542       55950       119428       4829       144786       3.335         5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       198873       63480       135301       4527       139662 <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td>							
5/31/2007       167088       56615       120968       4751       152201       3.122         6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       19018       64006       136454       3724       137989							
6/30/2007       169010       57392       122430       4161       153122       2.717         7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       19018       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439							
7/31/2007       170460       57878       123615       3121       140953       2.214         8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       19018       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096							
8/31/2007       172387       58562       124706       3702       138274       2.677         9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
9/30/2007       174450       59298       126015       4108       141673       2.900         10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
10/31/2007       176582       60098       127666       4583       147061       3.116         11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
11/30/2007       179012       60867       129150       4683       143923       3.254         12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
12/31/2007       181592       61602       130746       4911       136536       3.597         1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
1/31/2008       184101       62187       132641       4989       136036       3.667         2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
2/29/2008       186463       62767       133897       4198       131581       3.190         3/31/2008       188873       63480       135301       4527       139662       3.241         4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
3/31/2008     188873     63480     135301     4527     139662     3.241       4/30/2008     190918     64006     136454     3724     137989     2.699       5/31/2008     193486     64680     137382     4170     152439     2.736       6/30/2008     195870     65339     138380     4041     144096     2.804							
4/30/2008       190918       64006       136454       3724       137989       2.699         5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
5/31/2008       193486       64680       137382       4170       152439       2.736         6/30/2008       195870       65339       138380       4041       144096       2.804							
6/30/2008 195870 65339 138380 4041 144096 2.804							
		193486	64680			152439	
7/31/2008 197731 65748 139199 3089 131885 2.342						144096	2.804
	7/31/2008	197731	65748	139199	3089	131885	2.342

#### **Comparison of Gas Prices at Newton Gas Stations**

	Address	Num	ber of Pumpin	g Stations	Self-S	Service Pr	ices (\$)	Full-S	ervice Pri	ces (\$)	Survey Date
lumber	Street	Total	Self-Service	Full-Service			Premium			Premium	(Parentheses
											indicate 2nd visit
75-79	NEEDHAM ST	6	5	1	2.659		2.959 (2.959)	2.759	2.959	3.059	10/27/2008 (10/29/2008
					(2.599)			(2.699)	(2.959)	(3.059)	
732	BEACON ST	6	6		2.599	2.979	3.099	-	-	-	10/27/200
1094	BEACON ST	8	8		2.63 (2.63)	2.83 (2.83)	2.95 (2.95)	-	-	-	10/27/2008 (10/29/2008
325	BOYLSTON ST	4	4		2.699	2.819	2.939	-	-	. <b>-</b>	10/27/200
960	BOYLSTON ST	4		4				2.599	2.799	2.859	10/27/200
1365	CENTRE ST	4		4		_	-	2.899	3.219	3.499	10/27/200
1010	CHESTNUT ST	. 4		. 4	l .	-		2.899	3.169	3.319	10/27/200
2066	COMMONWEALTH AVE	6	6		2.699	2.899	2.999	-	-	-	10/28/200
2078	COMMONWEALTH AVE	4	I.	4	-	-	-	2.699	2.899	2.999	10/28/200
14	ELLIOT ST	6	3	(	3			2.599	2.799	2.849	10/27/200
361-363	WASHINGTON ST	. 4		4		-	-	2.679	2.859	2.999	10/29/200
650	WASHINGTON ST	4	l	4	1	-	-	2.679	2.879	2.979	10/29/200
875	WASHINGTON ST	4	1		1	-	-	2.599	2.659	2.859	10/29/200
1169	WASHINGTON ST	4	1		1	-	-	2.699	2.879	2.999	10/28/200
1200	WASHINGTON ST	8	3		2.599	2.859	2.959	2.599	2.859	2.959	10/28/200
1236	WASHINGTON ST	4	1	•	1	-	-	2.599	2.899	2.999	10/28/200
1958	WASHINGTON ST	4	1		4			2.95	3.05	3.25	10/27/200
979	WATERTOWN ST	3	3 6	3	2 2.699	2.899	2.999	2.799	2.999	3.099	10/28/200
50	WINCHESTER ST	4	1		4			2.599 (2.519)	1	!	10/27/2008 (10/29/2008
	Totals	90	34	56	3			(2.519)	(2.049)	(2.939)	

The survey was conducted on three consecutive days over which gas prices declined slightly. The average price of regular unleaded self-serve gas in Massachusetts was \$2.65 on 10/27/2008, \$2.61 on 10/28/2008, and \$2.59 on 10/29/2008.

# David B. Cohen Mayor

#### CITY OF NEWTON, MASSACHUSETTS

#### FIRE DEPARTMENT HEADQUARTERS

1164 Centre Street, Newton Center, MA 02459-1584 Chief: (617) 796-2210 Fire Prevention: (617) 796-2230 FAX: (617) 796-2211 EMERGENCY: 911



ATTACHMENT F

Joseph E. LaCroix Chief

October 27, 2008

Alderman George Mansfield Land Use Committee Newton City Hall 1000 Commonwealth Avenue Newton Centre, Ma 02459

Re: 77 Needham Street

Dear Mr. Mansfield,

We have reviewed the site plans for the self-service gas station at 77 Needham Street. This is to advise you that the Newton Fire Department has stamped the plans and approves the site layout for fire accessibility. The owner will have to comply with Code of Mass Fire Regulations 5. (CMR 5.00)

We will of course be reviewing the plans relative to Fire Prevention matters during the building permit process.

Sincerely,

Bruce A. Proia

**Assistant Chief of Operations** 

Cc: Michael Peirce, Esq.

Deputy Mike Castro, Fire Prevention

Candace Havens, Planning and Development

#### Zoning Review Memorandum

Dt: September 18, 2008

To: John Lojek, Commissioner of Inspectional Services

Fr: Eve Tapper, Chief Zoning Code Official Candace Havens, Chief Planner

Cc: Michael Kruse, Director of Planning and Development
G. Michael Peirce, representing Community Services Stations
Ouida Young, Associate City Solicitor

RE: Request to allow for the provision of self-service gasoline sales at all multiproduct dispensers on site.

Applicant: Community Service Stations						
Site: 79 Needham Street	SBL: Section 51, Block 28, Lot 19					
Zoning: MU-1	Lot Area: 16,625 square feet					
Current Use: Gasoline Service Station	Proposed Use: Gasoline Service					
with five self-service pumps and one	Station with six self-service pumps.					
full-service pump						

**Background:** The subject property consists of a 16,625 square feet lot improved with a gasoline service station with six pumping stations. Five of the six pumping stations are self-service. The sixth pumping station is currently full-service. A Special Permit approved per Board Order #280-98(2) permitted the five self-service pumps. The current application requests an amendment to that Board Order to allow for the conversion of remaining full-service pump to self-service.

#### Adminstrative determinations:

- 1. The subject site is located in the MU-1 zoning district. Section 30-13(b)(8) allows a gasoline service station in the MU-1 zoning district by Special Permit. The following review is based on the materials and plans received to date referenced under <u>Plans and Materials Reviewed</u>, below.
- 2. Section 30-5(c)(2) states that a Special Permit is required for a gasoline service station with self-service pumping facilities in any zoning district in the City. The current application requests this Special Permit.

	Zoning Relief Summary	
Ordinance		Action Required
	Amendmentato existing Special Permit	
30-13(b)(8) and	Amend SP and Board Order 280-98(2) to	SP per §30-24
30-5(c)(2)	allow the remaining full-service pumping	

station to be converted to self-service.

#### Plans and materials reviewed:

- "Site Plan to Accompany Petition of Community Service Stations, Inc.," dated 7/11/08 and stamped by Stephen P. DeCoursey, Civil Professional Engineer
- "Abutters Plan," dated 7/11/08 and stamped by Stephen P. DeCoursey, Civil Professional Engineer